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REMARKS

Claims 1-19 are pending in this application.

The Office Action maintains the rejection, under 35 U.S.C. § 102, of claims 1-17, and rejects claims 18 and 19 over Storck et al. (U.S. Patent No. 5,434,395). This rejection is respectfully traversed.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference" (MPEP §2131, citing *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)).

Applicants assert that Storck et al. does not disclose or suggest granting access to a third device to said personal data therein only when a second data storage device is operatively coupled to a first data storage device, as recited in independent claim 1. Storck et al. also does not disclose granting access to a third device to said personal data in either said first data storage device or said second data storage device only when said first and second data storage devices are operatively coupled together, as recited in independent claim 14. Storck et al. also does not disclose prohibiting a transaction between the smart card and another device unless the smart card and the enabling key device are operatively coupled together, as recited in independent claim 18.

In the Response to Amendment section, the Office Action alleges Storck et al. discloses, at col. 12, lines 45-48, "The authorization level is divided between two personal data storage devices such that data transfer to a third device is possible only when a first and a second personal data storage device are coupled together or used simultaneously, e.g. operating at the same time." Applicants disagree. In particular, col. 12, lines 45-48 do not disclose data transfer to a third device is possible only when a first and a second personal data storage device are coupled together." In particular, the cited passage only discloses it is "possible to divide up an authorization level between two or several slave cards which will then need to be used in a complementary manner or simultaneously." However, this not the disclosure of two or several slave cards being coupled together. In particular, "simultaneously" only describes slave cards being used at the same time. It is not the disclosure of a two data storage devices being operatively coupled together. Furthermore, using two devices in a complementary manner is

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also not the disclosure of a two data storage devices being operatively coupled together. For example, each device may be used in a complementary manner or simultaneously by each being separately coupled to the third device without being operatively coupled to each other.

Applicants are positively claiming only granting access to a third device when two devices are operatively coupled together and such is not disclosed by Storck et al.

Thus, Storck et al. does not disclose or suggest granting access to a third device to said personal data therein only when a second data storage device is operatively coupled to a first data storage device, as recited in independent claim 1. Storck et al. also does not disclose granting access to a third device to said personal data in either said first data storage device or said second data storage device only when said first and second data storage devices are operatively coupled together, as recited in independent claim 14. Storck et al. also does not disclose prohibiting a transaction between the smart card and another device unless the smart card and the enabling key device are operatively coupled together, as recited in independent claim 18.

Applicants also assert that Storck et al. does not disclose or suggest second personal data storage device storing a substantially duplicate copy of a first set of user data stored in a first personal data storage device, whereby user data in either said first or second personal data storage device is accessible and usable only when said first and second personal data storage devices are in communication with each other as recited in independent claim 8.

In the Response to Amendment section, the Office Action alleges Storck et al. discloses, at col. 4, lines 52-58, "that data is not accessible when two specific carrier, personal data storage devices, are not in communication with each other." However, this illustrates the exact opposite of what the Office Action is alleging. In particular, the cited passage clearly illustrates that data in a card can be read without the presence of another device. More particularly, the presence of another device is not required because the data in a card can be read by merely entering a personal identification number. This is completely contradictory to claim 8, which positively recites data in either the first or second personal data storage device is accessible and usable only when the first and second personal data storage devices are in communication with each other. In fact that Office Action expressly admits that data cannot be read without authorization whether

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two specific carriers are in communication or not. This is not the disclosure of data being accessible and usable only when two devices are in communication with each other.

Thus, Storck et al. does not disclose or suggest second personal data storage device storing a substantially duplicate copy of a first set of user data stored in a first personal data storage device, whereby user data in either said first or second personal data storage device is accessible and usable only when said first and second personal data storage devices are in communication with each other as recited in independent claim 8.

Applicants original arguments are presented below for the Examiner's convenience.

Storck et al. uses an interfacing circuit that controls data transfer between one data carrier and another data carrier when the data carriers are identified as compatible. There is no disclosure of granting access to said personal data in either said first data storage device or said second data storage device to a third device only when said first and second data storage devices are operatively coupled together and such is not asserted by the Office Action.

Applicants also assert that Storck et al. does not disclose or suggest second personal data storage device storing a substantially duplicate copy of a first set of user data stored in a first personal data storage device, whereby user data in either said first or second personal data storage device is accessible and usable only when said first and second personal data storage devices are in communication with each other as recited in independent claim 8.

Storck et al. uses an interfacing circuit that controls data transfer between one data carrier and another data carrier when the data carriers are identified as compatible (Abstract).

First of all, Storck et al. does not disclose that data in either said first or second personal data storage device is accessible and usable only when said first and second personal data storage devices are in communication with each other. In particular, Storck et al. discloses controlling data transfer between data carriers when they are identified as compatible with each other. For example, there is no disclosure that the data is not accessible and usable when two specific carriers are not in communication with each other. In particular, Storck et al. expressly discloses that transactions can be carried out between several microcircuit cards (col. 4, lines 31-34).

Thus, Storck et al. does not disclose that data in either said first or second personal data storage

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device is accessible and usable only when said first and second personal data storage devices are in communication with each other, as recited in independent claim 8.

Furthermore, Storck et al. does not disclose that each carrier having a duplicate copy of data where data is accessible and usable only when the carriers are in communication with each other. In particular, Storck et al. is directed to an interfacing circuit for controlling data transfer between the two carriers, which is the opposite of each carrier having a duplicate copy of data where data is accessible and usable only when the carriers are in communication with each other (Abstract). In particular, if each carrier in Storck et al. had a duplicate copy of data, it would be unnecessary to use an interfacing circuit to control data transfer between the carriers. Thus, Storck et al. does not disclose that each carrier having a duplicate copy of data where data is accessible and usable only when the carriers are in communication with each other, as recited in independent claim 8.

Therefore, Applicants respectfully submit that independent claims 1, 8, and 14 define patentable subject matter. The remaining claims are either not rejected or depend from the independent claims and therefore also define patentable subject matter. Accordingly, Applicants respectfully request the withdrawal of the rejection under 35 U.S.C. § 102.

#### CONCLUSION

Based on the foregoing amendments and remarks, Applicants respectfully submit this application is in condition for allowance. Favorable consideration and prompt allowance of claims 1-19 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number listed below.

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The Commissioner is hereby authorized to deduct any fees arising as a result of this Amendment or any other communication from or to credit any overpayments to Deposit Account No. 50-2117.

Respectfully submitted,



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